

Message Text

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TO AMEMBASSY ANKARA PRIORITY

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E.O. 11652: N/A

TAGS:BDIS, EAGR, ETRD, TU, US

SUBJECT: CONTINENTAL GRAIN CASE

REFS: (A) ANKARA 5732, (B) STATE 201180

1. DURING AUGUST 15 MEETING WITH TURKISH MIN AGRIC YUCELER, DEPT COUNSELOR NIMETZ RAISED CONTINENTAL GRAIN CASE, REITERATING MAIN POINTS MADE IN AUGUST 8 MEETING WITH MFA SECGEN ELEKDAG (REF B). NIMETZ STRESSED IMPORTANCE OF RESOLVING CASE PROMPTLY.

2. IN RESPONSE, YUCELER INDICATED THAT, IN PRINCIPLE, GOT WAS PREPARED TO SETTLE MATTER PROMPTLY. FIRST, HOWEVER, CERTAIN LEGAL REQUIREMENTS HAD TO BE MET, DUE TO THE FACT THAT CONTINENTAL'S CLAIM WAS AGAINST THE SOIL PRODUCTS OFFICE (TMO), A GOVERNMENT AGENCY. YUCELER CLAIMED THE GOT LIMITED OFFICIAL USE

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HAD NOT RPT NOT YET RECEIVED THE PERTINENT DOCUMENTS (UNSPECIFIED) FROM THE APPELLATE COURT IN LONDON. ONCE THESE DOCUMENTS ARE IN HAND, HE SAID, THE GOT WOULD EXPEDITE THE REMAINING "FORMALITIES" WITHIN THE GOVERNMENT AND AT THAT TIME WOULD BE PREPARED TO SIT DOWN AGAIN WITH CONTINENTAL REPS TO NEGOTIATE A SETTLEMENT. YUCELER STRESSED THAT THE COMPANY'S PROPOSALS MUST BE "REASONABLE", PRESUMABLY

ALONG THE LINES OF TERMS ALREADY DISCUSSED. UNTIL THE FORMALITIES HAVE BEEN COMPLETED, YUCELER ADDED, HE SAW NO RPT

NO POINT IN MEETING WITH CONTINENTAL REPS DURING HIS CURRENT VISIT TO US.

3. LATER IN DAY, DEPTOFF CONVEYED REPORT OF NIMETZ-YUCELER CONVERSATION TO CONTINENTAL REPS, INCLUDING COUNSEL THEODORE SORENSEN. SORENSEN UNDERTOOK TO FIND OUT WHAT COURT DOCUMENTS YUCELER MIGHT HAVE BEEN REFERRING TO AND TO INSURE THEIR PROMPT TRANSFER TO ANKARA. NEVERTHELESS, SORENSEN REMAINED SKEPTICAL OF GOT'S INTENTIONS TO "EXPEDITE" THE CASE, POINTING OUT THAT YET ANOTHER APPEAL BY GOT IS PENDING IN THE BRITISH COURTS. HE COMMENTED THAT GOT APPEARS TO BE "PLAYING IT BOTH WAYS" -- FIRST EXHAUSTING THE APPEALS PROCESS IN THE COURTS; THEN IF THAT DOES NOT WORK, OFFERING TO NEGOTIATE AN OUT OF COURT SETTLEMENT FOR A FRACTION OF THE VALUE OF THE JUDGMENT. IN CLOSING, HE EXPRESSLY ASKED THAT DEPSEC CHRISTOPHER ALSO RAISE MATTER WITH FINMIN MUEZZINOGLU WHILE HE IS IN WASHINGTON THIS WEEK. VANCE

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